

McDERMOTT & RADZIK, LLP

WALL STREET PLAZA
88 PINE STREET
NEW YORK, NEW YORK 10005-1801

TELEPHONE (212) 376-6400

TELECOPIER (212) 376-6490

E-MAIL: FIRM@MCDERMOTTRADZIK.COM

APR 17 2008

April 15, 2008

MEMO ENDORSED

Honorable Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**RE: *Divatex Home Fashions, Inc. v.
M/V "MAERSK DARMSTADT" and
A.P. Moller-Maersk A/S
08 CV 3483 (RMB)
Our File: 64-08-871***

Dear Judge Berman:

We are writing to you in response to your Notice dated April 15, 2008 scheduling a Pre-trial Conference for Tuesday May 20, 2008 at 9:00 a.m. Unfortunately, I am unavailable on May 20th and therefore would request a change in the date of the Conference. I will be before you on Monday May 19, 2008 at 9:00 a.m. on a different case and would suggest that the Pre-trial Conference for this case could also be scheduled at that time.

There have been no previous request for an adjournment of this Conference, and counsel has not appeared on behalf of the defendant. In fact, service has not yet been completed upon the defendant, however, we are mailing a copy of this letter to the defendant directly.

RECEIVED
FBI
JAN 11 1968
4/12/08

CONFERENCE DATE ADVANCED TO
5/19/08 AT 9:00 A.M.

SO ORDERED:
Date: 4/17/08

Richard M. Berman
Richard M. Berman, U.S.D.J.

Judge Richard M. Berman
April 15, 2008
Page 2

.....

We thank the Court in advance for its indulgence in this matter.

Respectfully,

McDERMOTT & RADZIK, LLP

By:



William R. Connor III

WRC/hs

Encl.

cc: A.P. Moller-Maersk A/S
d/b/a Maersk Line
2 Giralda Farms
Madison Avenue
Madison, NJ 07940